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EXAMINER	
MOE, AUNG SOE	

ART UNIT	PAPER NUMBER
2612	4

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/717,276	Applicant(s) HARADA, YASUHIRO	
	Examiner Aung S. Moe	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *18-20* is/are allowed.

6)☒ Claim(s) *1-14,17 and 21* is/are rejected.

7)☒ Claim(s) *15 and 16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-3, 4-10, 11-13 and 21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, it is unclear how "a long distance" and "a short distance" recited in lines 11-15 relate to "a long distance" and "a short distance" recited in lines 6-7? If there are the same "long distance" and "short distance", the Examiner suggests changing "a long distance" and "a short distance" recited in lines 11-15 to - - said long distance - - and - - said short distance - -.

Regarding claim 2, it is unclear how "a short distance" and "a long distance" recited in lines 6 and 8 relate to "a short distance" and "a long distance" recited in claim 1, lines 6-7? If there are the same "short distance" and "long distance", the Examiner suggests changing "a short distance" and "a long distance" recited in claim 2, lines 6 and 8 to - - said short distance - - and - - said long distance - -.

Claims 3, 9 and 10 are rejected for dependent on the rejected claim 1 as discussed above.

Regarding claim 4, it is unclear how "a long distance" and "a short distance" recited in lines 14-18 relate to "a long distance" and "a short distance" recited in lines 9-10? If there are the same "long distance" and "short distance", the Examiner suggests changing "a long distance"

and "a short distance" recited in lines 14-18 to - - said long distance - - and - - said short distance - -.

Regarding claim 5, it is unclear how "a short distance" and "a long distance" recited in claim 5, lines 6 and 8 relate to "a short distance" and "a long distance" recited in claim 4, lines 9-10? If there are the same "short distance" and "long distance", the Examiner suggests changing "a short distance" and "a long distance" recited in claim 5, lines 6 and 8 to - - said short distance - - and - - said long distance - -.

Regarding claim 6, it is unclear how "a short distance" and "a long distance" recited in claim 6, lines 5 and 7 relate to "a short distance" and "a long distance" recited in claim 4, lines 9-10? If there are the same "short distance" and "long distance", the Examiner suggests changing "a short distance" and "a long distance" recited in claim 6, lines 7 and 7 to - - said short distance - - and - - said long distance - -.

Regarding claim 7, it is unclear how "a short distance" and "a long distance" recited in claim 7, lines 6 and 7 relate to "a short distance" and "a long distance" recited in claim 4, lines 9-10? If there are the same "short distance" and "long distance", the Examiner suggests changing "a short distance" and "a long distance" recited in claim 7, lines 6 and 7 to - - said short distance - - and - - said long distance - -.

Regarding claim 8, it is unclear how "a short distance" and "a long distance" recited in claim 8, lines 4 and 6 relate to "a short distance" and "a long distance" recited in claim 4, lines 9-10? If there are the same "short distance" and "long distance", the Examiner suggests changing "a short distance" and "a long distance" recited in claim 8, lines 4 and 6 to - - said short distance - - and - - said long distance - -.

Regarding claim 11, it is unclear how "a long distance" and "a short distance" recited in lines 12-13 & 15-16 relate to "a long distance" and "a short distance" recited in lines 7-8? If there are the same "long distance" and "short distance", the Examiner suggests changing "a long distance" and "a short distance" recited in lines 12-13 and 15-16 to - - said long distance - - and - - said short distance - -.

Regarding claim 12, it is unclear how "a short distance" and "a long distance" recited in claim 12, lines 4 and 5 relate to "a short distance" and "a long distance" recited in claim 11, lines 7-8? If there are the same "short distance" and "long distance", the Examiner suggests changing "a short distance" and "a long distance" recited in claim 12, lines 4 and 5 to - - said short distance - - and - - said long distance - -.

In view of the above, the Examiner is considering that there are same "short distance" and "long distance" for the purpose of the examination.

Regarding claims 3, 9, 10 and 21, noted that Claims 3, 9-10 and 21 are rejected for dependent on the rejected claims 1 and 11 as discussed above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 1, 3, 4, 7-8, 9-10, 11-12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu et al. (U.S. 5,561,497) in view of Shiomi (U.S. 6,344,876).

Regarding claim 1, Maramatsu '497 discloses a fluctuation detecting apparatus (i.e., noted form Figs. 1 and 13 that the camera 1 is capable of effecting fluctuation detection by the use of AF sensor 5 & S1/S2) including: a light receiving portion (i.e., Figs. 1 and 13, the elements 5 and S1/S2) for detecting an image signal for an object (i.e., Figs. 3B and 4B) in each of a plurality of areas (i.e., the areas e1-e5);

a judging circuit (i.e., col. 2, lines 30+ and col. 5, lines 5+) for judging from the image signal obtained in each of said areas (i.e., the areas e1-e5) whether an object located at a long distance (i.e., noted the tree as shown in Fig. 3B) is mixed with an object located at a short distance (i.e., noted the persons as shown in Fig. 3B); and

a fluctuation amount calculating circuit (i.e., Figs. 1 and 13, the elements' 5, 6 and 17) for independently finding fluctuation data by the use of the image signal of the area (i.e., the area e1 and e5) in which said object located at the short distance exists (i.e., see Figs. 3A-4B; and col. 5, lines 5+) and the image signal of the area (i.e., the area e2-e4) in which said object located at the long distance exists (i.e., see Figs. 3B-4B; col. 5, lines 5+) when said judging circuit judges that the object located at the long distance is mixed with the object located at the short distance (i.e., col. 2, lines 30+, col. 6, lines 1+).

Furthermore, it is noted that Maramatsu '497 does not explicitly show calculating a rotational fluctuation amount and a shift fluctuation amount on the basis of the fluctuation data (i.e., the fluctuation data detected by the fluctuation detecting device, such as the AF sensor).

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shiomi '876. In particular, Shiomi '876 teaches the use of a fluctuation detecting apparatus (i.e., noed the AF sensor as shown in Figs. 1 and 10A) having a light receiving portion (i.e., Figs. 1 and 10A, the element's 16) for detecting an image signal for an object in each of a plurality of areas (i.e., the areas a, b, c, and d as shown in Fig. 10A), and a fluctuation amount calculating circuit (Fig. 1, the element 1) for independently finding fluctuation data (i.e., noed that the fluctuation detection is effected on the basis of the image data of the AF sensor as shown in Fig. 10A which is corresponding to each area "a-d") of the image singnal of the plurality of areas (i.e., the Fig. 10A, the areas "a-d"), and calculating a rotational fluctuation amount and a shift fluctuation amount (i.e., Figs. 1 and 4-5; col. 4, lines 50 – col. 5, lines 40+) on the basis of the fluctuation data which is detected by the fluctuation detecting device (i.e., noted the AF sensor 16 and the control unit 1 for detecting the fluctuation data from the light receiving portion as shown in Figs. 1 and 10A) so that image blur control during exposure by the operational state or the state of fluctuation of a camera may be realized.

In view of the above, having the system of Maramatsu '497 and then given the well-established teaching of Shiomi '876, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Maramatsu '497 as taught by Shiomi '876, since Shiomi '876 suggests at col. 2, lines 1+ that such a modification would prevent image blur caused during exposure by the operational state of a camera or the state of fluctuation of a camera.

Regarding claim 3, the combination of Maramatsu '497 and Shiomi '876 discloses wherein said light receiving portion outputs image signals corresponding to the absolute distances to said objects, and said fluctuation amount calculating means finds fluctuation data from the image signals corresponding to said absolute distances (i.e., see col. 12, lines 30+ of Maramatsu '497).

Regarding claim 9, the combination of Maramatsu '497 and Shiomi '876 discloses wherein said light receiving portion is a line sensor (i.e., see Figs. 1 & 14; the sensor S1 and S2 of Maramatsu '497 and Fig. 10A of Shiomi '876).

Regarding claim 10, the combination of Maramatsu '497 and Shiomi '876 discloses wherein said light receiving is a two-dimensional area sensor (i.e., see Figs. 1 & 14, the sensor 5, S1 and S2 of Maramatsu '497 and Fig. 10A of Shiomi '876).

Regarding claim 4, Maramatsu '497 discloses a fluctuation detecting apparatus (i.e., noted form Figs. 1 and 13 that the camera 1 is capable of effecting fluctuation detection by the use of AF sensor 5 & S1/S2) including: al light receiving portion (i.e., Figs. 1 and 13, the elements 5 and S1/S2) for detecting an image signal for an object in each of a plurality of areas (i.e., see Figs. 3A-4B and the areas e1-e5);

a distance calculating circuit for calculating the distance to the object in each of said areas from the image signal obtained in each of said areas (i.e., col. 5, lines 30+, col. 6, lines 1+, col. 7, lines 25+ and col. 11, lines 60-65);

a judging circuit for judging (i.e., col. 2, lines 30+ and col. 5, lines 5+) from the distance to the object in each of said areas (i.e., see Figs. 3A-4B and 8A and 9A) whether an object

located at a long distance (i.e., noted the tree as shown in Figs. 3B and 8A) is mixed with an object located at a short distance (i.e., noted the persons as shown in Fig. 3B); and

a fluctuation amount calculating circuit (i.e., Figs. 1 and 13, the elements' 5, 6 and 17) for independently finding fluctuation data by the use of the image signal of the area (i.e., the area e1 and e5) in which said object located at the short distance exists (i.e., see Figs. 3A-4B; and col. 5, lines 5+) and the image signal of the area (i.e., the area e2-e4) in which said object located at the long distance exists (i.e., see Figs. 3B-4B; col. 5, lines 5+) when said judging circuit judges that the object located at the long distance is mixed with the object located at the short distance (i.e., col. 2, lines 30+, col. 6, lines 1+).

Furthermore, it is noted that Maramatsu '497 does not explicitly show "calculating a rotational fluctuation amount and a shift fluctuation amount on the basis of said fluctuation data" as recited present claimed invention.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shiomi '876. In particular, Shiomi '876 teaches the use of a fluctuation detecting apparatus (i.e., noed the AF sensor as shown in Figs. 1 and 10A) having a light receiving portion (i.e., Figs. 1 and 10A, the element's 16) for detecting an image signal for an object in each of a plurality of areas (i.e., the areas a, b, c, and d as shown in Fig. 10A), and a fluctuation amount calculating circuit (Fig. 1, the element 1) for independently finding fluctuation data (i.e., noed that the fluctuation detection is effected on the basis of the image data of the AF sensor as shown in Fig. 10A which is corresponding to each area "a-d") of the image singnal of the plurality of areas (i.e., the Fig. 10A, the areas "a-d"), and calculating a rotational fluctuation amount and a shift fluctuation amount (i.e., Figs. 1 and 4-5; col. 4, lines 50 – col. 5, lines 40+) on the basis of

the fluctuation data which is detected by the fluctuation detecting device (i.e., noted the AF sensor 16 and the control unit 1 for detecting the fluctuation data from the light receiving portion as shown in Figs. 1 and 10A) so that image blur control during exposure by the operational state or the state of fluctuation of a camera may be realized.

In view of the above, having the system of Maramatsu '497 and then given the well-established teaching of Shiomi '876, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Maramatsu '497 as taught by Shiomi '876, since Shiomi '876 suggests at col. 2, lines 1+ that such a modification would prevent image blur caused during exposure by the operational state of a camera or the state of fluctuation of a camera.

Regarding claim 7, the combination of Maramatsu '497 and Shiomi '876 discloses wherein said judging circuit (i.e., Figs. 1 and 13 of Maramatsu '497) compares that distances to the objects obtained from the image signal of each area (i.e., the area e1-e5 of Maramatsu '497) calculated by the distance calculating circuit with a threshold value to thereby detect the object located at a short distance and the object located at a long distance (i.e., see col. 5 lines 10+ and col. 6, lines 2+ of Maramatsu '497).

Regarding claim 8, the combination of Maramatsu '497 and Shiomi '876 discloses wherein said fluctuation amount calculating circuit selects the nearest object when a plurality of objects located at the short distance are detected by said judging circuit (i.e., noted the selection of plurality of objects located at the short distance as shown in Fig. 3B of Maramatsu '497), and

selects the farthest object when a plurality of objects located at a long distance are detected (i.e., noted the selection of plurality of objects located at the long distance as shown in Fig. 4B), and calculates the fluctuation amount (i.e., see Fig. 5 of Maramatsu '497; and noted the calculation of the fluctuation amount as shown in Figs. 2-3 of Shiomi '876).

Regarding claim 11, Maramatsu '497 discloses an apparatus with the fluctuation detecting function (i.e., noted form Figs. 1 and 13 that the camera 1 is capable of effecting fluctuation detection by the use of AF sensor 5 & S1/S2) including: a light-receiving portion for detecting an image signal for an object in each of a plurality of areas (i.e., Figs. 1 and 13, the elements 5, S1, S2 and e1-e5);

a judging circuit for judging (i.e., col. 2, lines 30+ and col. 5, lines 5+) from the image signal obtained in each of said areas whether an object located at the long distance (i.e., noted the tree as shown in Fig. 3B) is mixed with an object located at the short distance (i.e., noted the persons as shown in Fig. 3B);

a fluctuation amount calculating circuit (i.e., Figs. 1 and 13, the elements' 5, 6 and 17) for independently finding fluctuation data by the use of the image signal of the area (i.e., the area e1 and e5) in which said object located at the short distance exists (Figs. 3A-4B) and the image signal of the area (i.e., the area e2-e4) in which said object located at the long distance exists (i.e., see Figs. 3B-4B; col. 5, lines 5+) when said judging circuit judges that the object located at the long distance is mixed with the object located at the short distance (i.e., col. 2, lines 30+, col. 6, lines 1+).

Furthermore, it is noted that Maramatsu '497 does not explicitly show "calculating a rotational fluctuation amount and a shift fluctuation amount on the basis of said fluctuation data; a first correction device for correcting rotational fluctuation on the basis of the rotational fluctuation amount calculated by said fluctuation amount calculating circuit; and a second correction device for correcting shift fluctuation on the basis of the shift fluctuation amount calculated by said fluctuation calculating circuit" as recited in the present claimed invention. However, the above-mentioned claimed limitations are well known in the art as evidenced by Shiomi '876. In particular, Shiomi '876 teaches the use of a fluctuation detecting apparatus (i.e., noed the AF sensor as shown in Figs. 1 and 10A) having a light receiving portion (i.e., Figs. 1 and 10A, the element's 16) for detecting an image signal for an object in each of a plurality of areas (i.e., the areas a, b, c, and d as shown in Fig. 10A), and a fluctuation amount calculating circuit (Fig. 1, the element 1) for independently finding fluctuation data (i.e., noed that the fluctuation detection is effected on the basis of the image data of the AF sensor as shown in Fig. 10A which is corresponding to each area "a-d") of the image singnal of the plurality of areas (i.e., the Fig. 10A, the areas "a-d"), and calculating a rotational fluctuation amount and a shift fluctuation amount (i.e., Figs. 1 and 4-5; col. 4, lines 50 – col. 5, lines 40+) on the basis of the fluctuation data which is detected by the fluctuation detecting device (i.e., noted the AF sensor 16 and the control unit 1 for detecting the fluctuation data from the light receiving portion as shown in Figs. 1 and 10A), a first correction device (i.e., Figs. 1 and 5; col. 5, lines 10+ of Shiomi '876) for correcting rotational fluctuation on the basis of the rotational fluctuation amount calculated by said fluctuation amount calculating circuit (i.e., Fig. 1, the elements 6 and 1); and a second correction device (i.e., Figs. 1 and 4; col. 4, lines 50+ and col. 10, lines 10+) for

correcting shift fluctuation on the basis of the shift fluctuation amount calculated by said fluctuation calculating circuit (i.e., Fig. 1, the elements 6 and 1) so that image blur control during exposure by the operational state or the state of fluctuation of a camera may be realized.

In view of the above, having the system of Maramatsu '497 and then given the well-established teaching of Shiomi '876, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Maramatsu '497 as taught by Shiomi '876, since Shiomi '876 suggests at col. 2, lines 1+ that such a modification would prevent image blur caused during exposure by the operational state of a camera or the state of fluctuation of a camera.

Regarding claim 12, the combination of Maramatsu '497 and Shiomi '876 discloses wherein when said judging circuit judges that the object located at the long distance is not mixed with the object located at the short distance, one of said first correction device and said second correction device is driven (i.e., noted from Figs. 4A-4B of Maramatsu '497 that the circuit 6 is capable of judging that the long distance is not mixed with the short distance object; and Shiomi '876 teaches that driving of the correcting device based on the state of fluctuation of the camera which are respectively detected from the areas "a-d" of the light receiving area of the camera, thus, the combination of Maramatsu '497 and Shiomi '876 meets the claimed limitations as required).

Regarding claim 21, the combination of Maramatsu '497 and Shiomi '876 discloses the apparatus is a camera (i.e., noted the camera shown in Fig. 1 of both Maramatsu '497 and Shiomi '876).

5. Claims 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida et al. (U.S. 5,053,801) in view of Shiomi '876.

Regarding claim 14, Ishida '801 discloses a fluctuation detecting apparatus (Figs. 1 and 7) including: a fluctuation amount calculating circuit for detecting a fluctuation state (i.e., noted form Figs. 1 and 7 that the focus adjusting device is capable of effecting fluctuation detection by the use of AF sensor as shown in Figs. 4a/4b) and

obtaining a fluctuation state signal for each of an object located nearer than a first predetermined distance and an object located farther than a second predetermined distance (i.e., see Figs. 21c-21e and 21g-21h; see col. 12, lines 50+, col. 13, lines 10+ and col. 14, lines 3+).

In addition, it is noted that although Ishida '801 discloses a fluctuation amount calculating circuit (i.e., Figs. 1 and 7) for obtaining the fluctuation state signal for each object from each of the light receiving areas (i.e., see col. 14, lines 35+ of Ishida '801), Ishida '801 does not explicitly state "calculating a rotational fluctuation amount and a shift fluctuation amount from the fluctuation state signal" as recited in present claimed invention.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Shiomi '876. In particular, Shiomi '876 teaches the use of a fluctuation detecting apparatus (i.e., noed the AF sensor as shown in Figs. 1 and 10A) having a light receiving portion (i.e., Figs. 1 and 10A, the element's 16) for detecting an image signal for an object in each of a plurality of areas (i.e., the areas a, b, c, and d as shown in Fig. 10A), and a fluctuation amount calculating circuit (Fig. 1, the element 1) for independently finding fluctuation data (i.e., noted that the fluctuation detection is effected on the basis of the image data of the AF sensor as shown in Fig. 10A which is corresponding to each area "a-d") of the image signal of the each of the

object located at the plurality of areas (i.e., the Fig. 10A, the areas "a-d"), and calculating a rotational fluctuation amount and a shift fluctuation amount (i.e., Figs. 1 and 4-5; col. 4, lines 50 – col. 5, lines 40+) on the basis of the fluctuation data which is detected by the fluctuation detecting device (i.e., noted the AF sensor 16 and the control unit 1 for detecting the fluctuation data from the light receiving portion as shown in Figs. 1 and 10A) so that image blur control during exposure by the operational state or the state of fluctuation of a camera may be realized.

In view of the above, having the system of Ishida '801 and then given the well-established teaching of Shiomi '876, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Ishida '801 as taught by Shiomi '876, since Shiomi '876 suggests at col. 2, lines 1+ that such a modification would prevent image blur caused during exposure by the operational state of a camera or the state of fluctuation of a camera.

Regarding claim 17, the combination of Ishida '801 and Shiomi '876 discloses further including: a light receiving portion (Figs. 2, & 4a-5 of Ishida '801) for receiving images from said objects (i.e., col. 14, lines 15+); and wherein said fluctuation amount calculating circuit (Figs. 1 and 7; col. 5, lines 55+) detects the fluctuation state on the basis of the difference between the positions of the images on said light receiving portion at a time interval between the images being received by said light receiving portion (i.e., Figs. 4a-6; col. 4, lines 50+ and col. 5, lines 5+ of Ishida '801; and Figs. 9 and 10A; col. 7, lines 5+ of Shiomi '876).

Allowable Subject Matter

6. Claims 2 and 5-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. Claims 13 and 15-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 18, 19 and 20 are allowed.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Uchiyama '842 discloses the use of fluctuation detecting apparatus and ajudging circuit in the camera unit.

b. Hara '831 and Yamasaki '360 shown a camera having device for calculating rotational fluctuation amount and a shift fluctuation amount based on the focus signals detected by the camera.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 703-306-3021. The examiner can normally be reached on Mon-Fri (9-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aung S. Moe
Primary Examiner
Art Unit 2612

A. Moe
April 2, 2004